

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

Jose Alberto Castillo

PRINCIPAL

YOB: 2001

United States  
United States District Court  
Southern District Of Texas  
FILED

Case Number:

M-19-0811-M

APR 10 2019

(Name and Address of Defendant)

David J. Bradley, Clerk

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 8, 2019 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Gloria Guadalupe Chan-Tuz and Alejandro Natael Narvaez-Tziu, citizens and nationals of Mexico, along with six (6) other undocumented aliens, for a total of eight (8), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Mission, Texas to the point of arrest near Mission, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On April 8, 2019, the McAllen Border Patrol Station received a phone call from a concerned citizen stating that a suspicious Chevrolet Suburban was driving on a property primarily used for farming near Mission, Texas. This area has direct access to the Rio Grande River and is well-known for human smuggling.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

AUSA Andrew Henning

4/10/19

Signature of Complainant

Ernie E. Bergollo Senior Patrol Agent  
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

April 10, 2019  
Dateat McAllen, Texas  
City and StateJ Scott Hacker, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-19-0811-M**

**RE:        Jose Alberto Castillo**

**CONTINUATION:**

A Border Patrol Agent responded and observed a brown Suburban traveling on the border levee. As the Agent approached the vehicle, the Suburban immediately came to a stop, and reversed away from the Agent at a high rate of speed. The Agent proceeded to follow the vehicle and observed two occupants through the windshield. The Agent also noted that the driver began to drive erratically and recklessly through an empty field towards the river.

At this time, the Agent activated his emergency equipment, however the driver of the Suburban failed to stop. After a short pursuit, the Suburban crashed into a fence and the Agent observed several subjects attempting to bail out from the vehicle. As the Agent secured the vehicle, he observed multiple subjects in the rear cargo area. Shortly thereafter, the Agent observed a male driver exit the vehicle and abscond. A total of eight subjects were apprehended who were later determined to be illegally present in the United States.

The driver, later identified as Jose Alberto Castillo, a United States Citizen, was eventually apprehended with the assistance of a canine. Agents asked Castillo if he was the driver of the Suburban, to which Castillo admitted he was. Castillo was read his Miranda Rights and transported to the Border Patrol Station to be processed accordingly.

**PRINCIPAL STATEMENT:**

Jose Alberto Castillo was read his Miranda Rights. He understood and agreed to provide a sworn statement.

Castillo stated he used the brown suburban to pick up the illegal aliens. Castillo claims this is his second time attempting to pick up illegal aliens. Castillo claims that the person who hired him was giving him instructions over the phone. Castillo stated he was going to receive \$1,500 to transport them.

**MATERIAL WITNESS STATEMENTS:**

Gloria Guadalupe Chan-Tuz and Alejandro Natael Narvaez-Tziu were read their Miranda Rights and agreed to provide a sworn statement.

Chan, a citizen of Mexico, stated she crossed the Rio Grande River along with seven others into the United States. Chan stated that once she crossed the river she boarded a four door gray in color "enclosed truck" (SUV) and was seated in the front passenger seat. Chan stated that when they were leaving the area, they encountered an immigration vehicle who immediately got behind them. Chan was able to describe the driver as a skinny male with dark skin.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-19-0811-M**

**RE:     Jose Alberto Castillo**

**CONTINUATION:**

Narvaez, a citizen of Mexico, stated he paid \$10,000 (USD) for his smuggling arrangements. Narvaez stated he crossed into the United States on a raft with eight other people who were traveling with him. Narvaez stated he then boarded a tan in color Suburban and laid down on the rear passenger seat. Narvaez stated he was unable to see the driver's face because he boarded through the back of the vehicle, however, he was able to describe the driver as a male because he heard him talking. Narvaez stated that one of the females travelling with him was seated in the front seat. Narvaez stated that the driver was driving fast and when the vehicle stopped, the driver attempted to break the glass but he couldn't.







THE STATE OF TEXAS )  
 )  
COUNTY OF Hidalgo )

M-19-0811-M

APR 10 2019

David J. Bradley, Clerk

Before me, the undersigned authority, on this day personally appeared  
Ernie E. Bergollo known to be the person whose name is subscribed  
hereto, and being by me first duly sworn, upon oath deposes and says:

"I am a Senior Patrol Agent stationed at McAllen, Texas  
and I investigated the case of the United States of America versus

Jose Alberto Castillo 2001 United States

and from my investigation, it appears that:

Gloria Guadalupe Chan-Tuz 1993 Mexico

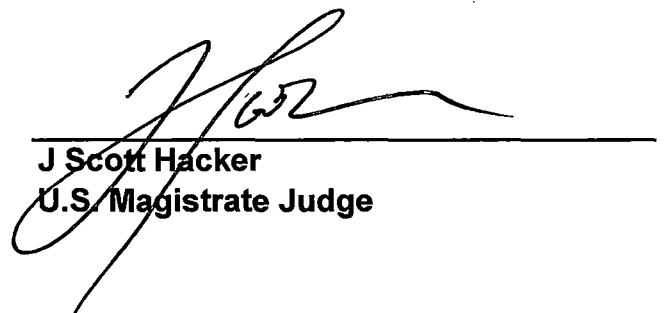
Alejandro Natael Narvaez-Tziu 1994 Mexico

citizens and nationals of Mexico are material  
witnesses in said cause that it may be impractical to secure their  
presence by subpoena and for that reason they should be held as material  
witnesses."

FURTHER AFFIANT SAYETH NOT.

  
Ernie E. Bergollo  
Senior Patrol Agent

SUBSCRIBED AND SWORN TO BEFORE ME on this April 10, 2019

  
J Scott Hacker  
U.S. Magistrate Judge